E & P. H. (1940) Department

MS SERIES.

G.O. No. 2363 9

Dated 31-5-1940

[Despatch Abstract.]

Buildings - Rules - Mangalore municipality - Sri G. Hanumantha Pai - Exemption - Granted as a special case.

Local Administration DEPARTMENT.

52265

Received 18 DEC 1939 19 . Registered 19 .

Subject.

License - Building - Relaxation of Building Rules - Sanction - Requested.

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ENCLOSURES
No. two.
Spare copies

Ref. C. No. 13405/H3-39

Station Mangalore, *Dated the* 9th December, 19 39.

From (Name) Sri M. Narayana Shenoy, B.A., B.L.,
(Designation) Commissioner, Municipal Council,
Mangalore.

To The Secretary to the Government of Madras,
Education & Public Health Department.
Through Fort St. George, Madras.
The Chairman,
Municipal Council,
Mangalore.

Sir,

I am to bring the following case where the Municipal Council has recommended the relaxation of building rules and request Government may be pleased to permit the same in the light of the reasons given below and to permit building license issued to the party.

2. On 7.7.1938 one Sri G. Hanumantha Pai applied for license for the repair and extension of a bathshed in T.S.No.108 pf 12th ward. License was granted to the party

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to the party on 19.7.1938 for the repair of the bathshed but it was refused for the extension on the ground that the -- compound would become congested if any new structures are constructed in that the 10 ft. rear space is not left and that there is no proper approach to the compound.

3. The Sanitary Inspector of the ward reported on 16.8.38 that the party was extending the bathshed under reference and was converting it into a dwelling house without license. Thereupon a combined provisional and demolition order under Sec. 216(1) & (2) of the Madras District Municipalities Act of 1920 was issued on 19.8.1938 requiring the party to demolish the unauthorized structure. On receipt of this order the party applied again for license by paying the necessary license fee but license was again refused. A prosecution was then launched against him in the Bench Court and the Court after a local - inspection found the party guilty and convicted him and sentenced him to pay a fine of Rs.20/-.

4. The party then appealed to the Council requesting that the 10 ft. rule may be waived and license granted for the bathshed converted into a dwelling house. The Council in its Resolution No.54 dated 9.10.1939 referred the appeal to a Committee and the Committee in its report (copy enclosed) dated 25.10.1939 recommended that license may be granted subject to certain - alterations in the building. The Council in accepting the report of the Committee has resolved to request Government to waive the 10 ft. rule of the building rules. Copy of Council Resolution No.57 dated 15th November, 1939, is submitted - herewith. Though there is no 10 ft. of open space at the rear of the building there is a pretty big yard in front and the back side is not used. Arrangements for ventilation and lighting are also good. Taking these facts into consideration

and also

and also the conditions imposed by the Committee for the grant of license, I request that Government may be pleased to waive the 10 ft. rule in this case and to permit building license being issued to the party subject to the conditions suggested by the Committee in its report referred to.

12-12-39

Commissioner, M.M.

F o r w a r d e d

Chairman, M. C.

CMS/11.12

M a n g a l o r e,
25 - 10 - 1939

Ref:- Resolution No.54 dated 9-10-1939 - of Sri G. Hanumantha Pai.

We inspected the place this evening along with the Sanitary Inspector, Mr. Sanjiva Rao. We find that the original store-rooms have been converted into dwelling houses and all of them have been rented out. It is true there is no 10ft. space behind these dwelling houses, i.e. on the southern side.

Since he has constructed and converted them into dwelling houses it would certainly put him to a great loss if he were asked to demolish them now.

We have however suggested to him to have two windows each for the two dwelling houses situated on the western side and ventilators for the kitchens and skylights to be provided for all three houses. This would provide better ventilation and light in all the three houses. Subject to these improvements he may be granted the necessary license.

We have further suggested the removal of a cocoanut tree adjoining the common latrines and have a cesspool there to allow the urine, etc. to be collected asnthere is no arrangement at present. The latrines are being very close to one of the dwelling houses in the compound.

Sd/ N. Upendra Pai, M.C.

I agree.

Sd/ P.Panduranga Bhandary,M.C.
" George E. Aiman, M.C.

/ True Extract /

12/12/39
Commissioner, M.M.

CMS/

Extract from the Proceedings of the Mangalore Municipal Council, Dated the 15th November, 1939.

Present.

X X X

Read report of the Committee appointed as per Council Resolution No.54 dated 9.10.1939 on the petition of Sri G. Hanumantha Pai requesting license for the alteration of a building in T.S.No.108-4 of 12th ward.

Res.No.57

P.5 ante Committee's report is accepted and Government to be addressed to waive 10 ft. rule in this case.

Sd/ L. C. Pais,
Vice-Chairman, M.C.

/ True Extract /

12-12-39
Commissioner, M.M.

CMS/

Extract from the letter of the Ex-officio Director of Town Planning, Madras to the Secretary to Govt., L.S.G.H. Dept, T.P.No. 452/40, dated 15/16th February, 1940.

Building - Mangalore Municipality - Rules - Exemption.

Suitable steps should be taken by the Municipality to see that a proper approach road giving access to the house or building and connecting with an existing street is provided by the owner in accordance with the requirements of the Madras District Municipalities Act and the bylaws regulating street construction.

Subject to the above, the construction already made by the party may be exempted from the operation of rule 24(1) of the building rules if the conditions specified in the report of the committee appointed by the council and approved by it in its resolution No. 57 dated 15-11-39 will be complied with.

C.F. 16.

DRAFT FOR APPROVAL. E & P. H. Dept.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..	31/1/6	
When signed ..		7/6/40
When despatched.		

SUBJECT :— Buildings - Rules - Mangalore municipality - Sri G. Hanumantha Pai - Exemption - granted as a special case.

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ ALSO :—

C No. 52265 From the Comr. Mangalore municipality No. 13403/H3/39 dated 9-12-1939

" _____ " _____ " _____ " _____ 19____

" _____ " D.T.P. " 452/40 " 16-2-1940

Order / Resolution Ms / Rout. No. 2363, dated 31.5.40 19____

52265/39

Book no. 101 not put up.

p 7 ef

p 9 ef

p 5 ef

Under rule 108-A of the rules issued with G.O. no. 1621 P.H. dated 30.7.32 as subsequently amended, H.E. the Governor of Madras is pleased to exempt as a special case the building constructed by Sri G. Hanumantha Pai in T.S. no. 108-4 of the 12th ward in the Mangalore municipality from the operation of rule 24(1) of the Building Rules subject to the fulfilment of the conditions specified in the report of the committee appointed by the md. and

approved by it in its resolution no. 57 dated 15-11-39

2. Suitable steps should be also taken by the md. cl. to see that a proper approach road giving access to the building and connecting with an existing street is provided by the owner in accordance with the requirements of the M.D.M. Act, 1920 and the byelaws regulating street construction.

P.7 4

52 2 65

by
4.5.40.

SRK
29.5.40

S.

RMK
30/5

To
The Commissioner,
Mangalore municipality
through the E.M.C. Mangalore
(with one file rets)
The D.T.P.

31 MAY 1940

U.S.

[illegible] not aware of
[illegible]. or D.T.P. do we
not [illegible] every case
of exemption from British
Airways ?

Rell
3/5

Please see p 94
About 50 or 100
cases were sent
to DTP Office but
up long order.
I said each
case should be
dealt with
separately. ~~&~~
~~this time~~

Sm
30/5/80

The last Case !!